

REMARKS

Claims 1-36 are pending. Claims 1, 11, 20, 26 and 36 are independent.

The examiner uses Reynolds to reject claims 1-5, 7, 9-15, 18-31 and 33-36 as having been obvious.

Claims 1, 11, 20, 26 and 36, as amended, recite "the receiver receiving a separate second media having a second priority indicator, the receiver permitting automatic insertion of the second media or an indication of the second media into an audio or visual presentation of first broadcast stream based on a comparison of said first priority indicator and said second priority indicator, the automatic insertion or the indication preserving content of the first broadcast stream," or similar language. Reynolds neither discloses nor describes at least this quoted claim feature.

Reynolds discloses a single broadcast signal that includes both a video component and a generic meta data component:

A national broadcaster 50 transmits its program signal 110 to a satellite 55. The signal 110 is then relayed by the satellite 55 to a local station or network affiliate 60. In addition to a video component, the signal 110 as transmitted by the national broadcaster 50 and received by the local affiliate 60 contains a generic meta data component that the network has associated with the video data component. (Reynolds, paragraph 0025)

This is very different from a first broadcast stream and a separate second media. Accordingly, claims 1, 11, 20, 26 and 36 are not anticipated by Reynolds.

The examiner uses Reynolds to reject claims 6 and 16 as having been obvious.

Claims 1 and 11, as amended, recite "the receiver receiving a separate second media having a second priority indicator, the receiver permitting automatic insertion of the second media or an indication of the second media into an audio or visual presentation of first broadcast stream based on a comparison of said first priority indicator and said second priority indicator, the automatic insertion or the indication preserving content of the first broadcast stream," or similar language. As discussed above, Reynolds fails to teach or suggest at least this quoted claim feature, and as such, claims 1 and 11 are not rendered obvious by Reynolds.

Claims 6 and 16 depend upon, and add further limitations to, claims 1 and 11. Accordingly, claims 6 and 16 are not rendered obvious by Reynolds.

The examiner uses Reynolds and Bullock to reject claims 8, 17 and 32 as having been obvious.

Claims 1, 11 and 26 recite, as amended, "the receiver receiving a separate second media having a second priority indicator, the receiver permitting automatic insertion of the second media or an indication of the second media into an audio or visual presentation of first broadcast stream based on a comparison of said first priority indicator and said second priority indicator, the automatic insertion or the indication preserving content of the first broadcast stream," or similar language. As discussed above, Reynolds fails to teach or suggest at least this quoted claim feature, and as such, claims 1, 11 and 26 are not rendered obvious by Reynolds. Bullock fails to provide for the deficiency of Reynolds.

Bullock teaches a method of data delivery after indicator insertion. More specifically, Bullock teaches:

At the receiver location, the transmitted information and/or data is separated from the rest of the standard broadcast signal and is stored in a memory device for selective printing of a hard copy upon receipt of a cue signal. (Bullock, col. 1, lines 44-48)

This is very different from the quoted claim feature above. Here, in part, a comparison is performed for insertion of the separate second media into the first broadcast stream. In Bullock, "...the cue signal is compared with the received identifier and if the comparison is positive the stored encoded data is recalled from the memory, decoded and printed at the discretion of the user." (Bullock, Abstract) Accordingly, claims 1, 11 and 26 are not rendered obvious by Reynolds and Bullock, whether taken separately or in combination.

Claims 8, 17 and 32 depend upon, and add further limitations to, claims 1, 11 and 26. Accordingly, claims 8, 17 and 32 are not rendered obvious by Reynolds and Bullock, whether taken separately or in combination.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as


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an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Respectfully submitted,

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